

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION**

MARK DOBRONSKI,

Plaintiff,

v.

FAMILY FIRST LIFE, LLC, et al.,

Defendants.

Case No. 2:22-cv-12039-JJCG

Hon. Denise Page Hood

Magistrate Judge Jonathan J.C. Grey

**MOTION TO WITHDRAW ECF NO. 108 IN LIGHT OF FLORIDA
COURT'S DEFAULT JUDGMENT ORDER**

Defendant Family First Life, LLC (“FFL”) respectfully requests that the Court withdraw FFL’s Motion to Dismiss, Stay, or Transfer Under the First to File Rule, ECF No. 108. In support of this Motion, FFL submits two recent orders in *Family First Life, LLC v. David Rutstein, et al.*, Case No. 9:22-cv-80243 (S.D. Fla., filed Feb. 15, 2022): (1) the Order Granting FFL’s Motion for Default Judgment as to Damages, attached hereto as **Exhibit A**; and (2) the Order Accepting the Magistrates’ Report and Recommendation for FFL’s Attorneys’ Fees, attached hereto as **Exhibit B**. Since the entry of these orders, FFL’s Motion at ECF No. 108 is now moot. The Court therefore only needs to address FFL’s motion to dismiss, ECF No. 107, at the upcoming hearing on September 27, 2023.

In the Default Judgment Order entered on August 18, 2023, Judge Cannon accepted FFL’s damages request for \$5,299,519 trebled to \$15,898,557 against Defendant David Rutstein and his business “NAAIP” and ordered \$43,000 in civil sanctions. **Exhibit A** at 3-4, 6, 8. Then on September 12, 2023, Judge Cannon entered the Attorneys’ Fees Order, accepting the Magistrate’s Report and Recommendation to Grant FFL’s Motion for Attorneys’ Fees. **Exhibit B** at 1. The case is now closed, and the issues briefed in FFL’s Motion under the First to File Rule, ECF No. 108, are therefore moot, notwithstanding Plaintiff Dobronski’s affiliations and communications with Rutstein.

Dated: September 18, 2023

Respectfully submitted,

/s/ James Cone

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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2023, I caused to be served or arranged to be mailed on the next available business day a copy of the foregoing and supporting documents as follows:

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